United Nations A/ES-10/448–S/2009/98

General Assembly
Security Council

Distr.: General
18 February 2009

Original: English

General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-fourth year

Identical letters dated 18 February 2009 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

It is with grave concern that I must draw your attention to the continuation and intensification of Israel's illegal, massive colonial settlement campaign in the Occupied Palestinian Territory, including East Jerusalem. As we continue to grapple with the grave crisis caused in the Gaza Strip by the occupying Power's deadly and destructive military campaign and continuing blockade, which has caused immeasurable suffering and hardship for the Palestinian civilian population, we must also address its relentless attempts to illegally colonize the rest of the Occupied Palestinian Territory.

The occupying Power's settlement campaign is not only unlawful, constituting grave breaches of international law, violations of numerous United Nations Security Council and General Assembly resolutions, and total disrespect for obligations and commitments under the road map and other commitments made in the context of the Middle East peace process, including in the Annapolis Conference, but is also widely recognized as constituting a major obstruction to the goal of a peaceful settlement of the Israeli-Palestinian conflict on the basis of the two-State solution. Indeed, as Israel continues its illegal confiscation of Palestinian land, the construction and expansion of settlements, settlement "outposts" and settlement infrastructure, and the transfer of more Israeli settlers to the Occupied Palestinian Territory in order to advance its attempts to illegally de facto annex more Palestinian land, the territorial contiguity and integrity of the Territory is being severely undermined and the prospects for physically achieving the two-State solution are becoming ever more remote.

In this regard, I regret to inform you of the latest unlawful and provocative decision taken by Israeli authorities to confiscate 1,700 dunums of privately owned Palestinian land for the purpose of connecting illegal settlements in Al-Khalil (Hebron) with illegal settlements in the area of Occupied East Jerusalem. The orders

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for this illegal confiscation came on the eve of an Israeli announcement regarding the plans to expand the "Efrat" settlement by 2,500 units, which would be built on this land, as a means of promoting this artificial continuity between the settlements. The confiscation of the land, which belongs to Palestinians from the villages of Khader, Beit Fajar, Irtas, Um Salamonah, Idrahal and the city of Bethlehem, which is located just west of the "Efrat" settlement, would effectively complete Israel's attempts to sever the West Bank into two separate, disconnected parts.

This is an alarming, condemnable development that the Palestinian leadership views as a direct threat to the consensus goal of the Middle East peace process of establishing a contiguous, viable, independent Palestinian State as the only way to forge a just and lasting peace in the region. Israel's illegal policies and actions in this regard, which aim at the acquisition of more Palestinian territory by force and at consolidating that acquisition with the transfer of even more Israeli settlers to this land, are completely and blatantly contradictory to this goal and are seriously prejudicing the situation on the ground and undermining any efforts to resolve such a core, final status issue in the context of the peace process.

Such flagrant breaches of the law by the occupying Power and the violation of its own pledges to freeze all settlement activities and dismantle settlement "outposts" must be condemned and demands must be made upon Israel to cease all such illegal activities. Appeasement of such illegal policies and actions must no longer be tolerated; this will only serve to advance Israel's attempts to physically alter the situation on the ground with such unlawful facts. Moreover, demands must be made upon Israel to not only "talk" about peace but to actually "act" for peace, which would necessitate more than empty promises and rhetoric about dealing with the settlements issue. In this regard, it is highly regrettable that over the past 15 years since the launch of the Israeli-Palestinian peace process, successive Israeli governments have claimed commitment to seeking peace with Palestinians, while at the same time the illegal actions undertaken by these successive governments have proven the exact opposite. This latest Israeli announcement comes as further proof of the mal-intent of the occupying Power in this regard.

The international community has a legal and moral obligation to take an unwavering stand towards such belligerent, destructive and unlawful Israeli policies and practices and act to bring an end to these policies and practices. Serious measures must be taken to guarantee that no State consider itself above international law and the principle of accountability. since the Annapolis Conference in November 2007, Israel has increased its illegal settlement activities and land confiscations in the West Bank, including East Jerusalem, seventeen-fold, or by some estimates by 69 per cent. This staggering fact, coupled with the continued construction of the Wall, the continued imposition of hundreds of checkpoints restricting Palestinian movement and socio-economic activity and the continued inhumane siege on Gaza, exposes as empty all Israeli declarations regarding its commitment to obligations, pledges and commitments made in the course of the peace process, including under the road map.

In this regard, the Palestinian side, by all accounts, has clearly fulfilled its obligations under the road map with transparency and diligence, despite all of the Israeli-imposed obstacles. Contrary to Israel's false pretences, our commitment to undertaking what is necessary to achieve the historic, painful compromise that must be made with Israel for the sake of peace is undeniable, proven by facts and acts on

the ground. Consequently, we reaffirm the position declared by Palestinian President Mahmoud Abbas that any negotiations with Israel under these conditions would be futile and only result in further frustration. More dangerously, it would waste time in pretences of peace while Israel continues erecting facts on the ground that makes this very peace we seek a physical improbability.

The intention and clear goal of the negotiations is to achieve peace by ending the Israeli military occupation of Palestinian Territory that began in 1967 and establishing the independent State of Palestine to live side by side with Israel in peace and security. The current Israeli modus operandi unfortunately only proves that Israel wants to maintain a façade of peace negotiations while making the end goal of these negotiations impossible to achieve. We thus call on the international community, in particular, the relevant United Nations bodies, to address this critical issue and to reaffirm the principles and legal and moral stance that would protect the prospects of peace and prevent extremist agendas from winning over commitment to peace.

The present letter is in follow-up to our previous 333 letters to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 2 February 2009 (A/ES-10/445-S/2009/65), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice (as all the victims have not yet been identified, their names will be included in an annex to a future letter).

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer